

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 CONFERENCE COMMITTEE
SUBSTITUTE
4 FOR ENGROSSED
HOUSE BILL NO. 2797

5 By: Coody (Ann), Billy,
Peterson, Strohm, Kern,
Bennett, Christian, Ritze
6 and Moore of the House

7 and

8 Griffin, Loveless and
9 Brooks of the Senate

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12 CONFERENCE COMMITTEE SUBSTITUTE

13 An Act relating to schools; creating the Humanity of
14 the Unborn Child Act; requiring State Department of
15 Health to develop and maintain certain electronic
16 form; requiring Department to develop certain
17 materials; requiring State Department of Education to
establish certain program; creating certain revolving
fund; requiring funds to be expended by State Board
of Education for certain purpose; providing for
codification; and providing an effective date.

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20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. NEW LAW A new section of law to be codified

22 in the Oklahoma Statutes as Section 1-751 of Title 63, unless there
23 is created a duplication in numbering, reads as follows:

1 This act shall be known and may be cited as the "Humanity of the
2 Unborn Child Act".

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 1-752 of Title 63, unless there
5 is created a duplication in numbering, reads as follows:

6 A. Contingent on the availability of funds being appropriated
7 by the Legislature specifically for this purpose, the State
8 Department of Health shall develop, update annually and maintain an
9 electronic form containing information concerning public and private
10 agencies and services available to assist a woman through pregnancy,
11 upon childbirth and while the child is dependent, which shall
12 include a comprehensive list of the agencies available, including
13 adoption agencies, a description of the services they offer and a
14 description of the manner, including telephone numbers and email
15 addresses, by which they might be contacted. The Department shall
16 index this form geographically and shall make it readily accessible
17 on the Department's website. The website shall include the
18 following statement:

19 "There are many public and private agencies willing and able to
20 help you carry your child to term and assist you and your child
21 after your child is born, whether you choose to keep your child
22 or to place him or her for adoption. The State of Oklahoma
23 strongly urges you to contact them if you are pregnant."

1 B. The statement required by subsection A of this section shall
2 include the hyperlink to the section of the Department's Internet
3 website containing the information required by subsection A of this
4 section and shall be made available in a downloadable format
5 appropriate for display.

6 C. On or before January 1, 2018, the Department shall make
7 available to each facility in this state which is open to the public
8 containing a restroom available to the public, and licensed by the
9 State Department of Health, signage which is to be posted in its
10 restroom containing the statement and the website address to obtain
11 the information provided by subsection A of this section.

12 D. The State Board of Health shall promulgate rules to
13 implement the provisions of this section.

14 SECTION 3. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1-753 of Title 63, unless there
16 is created a duplication in numbering, reads as follows:

17 Contingent on the availability of funds being appropriated by
18 the Legislature specifically for this purpose, the State Department
19 of Health shall:

20 1. Develop and make available materials designed to provide
21 accurate, scientifically verifiable information concerning the
22 probable anatomical and physiological characteristics of the unborn
23 child at two-week gestational intervals. The Department may utilize
24 as a resource the material dealing with characteristics of the

1 unborn child created pursuant to Section 1-738.3 of Title 63 of the
2 Oklahoma Statutes and as located on the website www.awomansright.org
3 under the link "Characteristics of the Unborn Child";

4 2. Develop and distribute educational and informational
5 materials to provide public information through public service
6 announcements, media and otherwise for the purpose of achieving an
7 abortion-free society. Such materials shall be developed from the
8 most readily available, accurate and up-to-date information and
9 shall clearly and consistently teach that abortion kills a living
10 human being. All efforts by the Department in this regard shall be
11 reported annually to the Chair and Vice Chair of the Senate Health
12 and Human Services Committee and the House Public Health Committee;

13 3. Provide technical assistance to help community-based
14 organizations in the planning and implementation of abortion
15 prevention, alternatives to abortion referral and education programs
16 regarding the humanity of the unborn child;

17 4. Provide outreach, consultation, training and alternatives to
18 abortion referral services to schools, organizations and members of
19 the community;

20 5. Distribute educational and informational material concerning
21 maternal behavior during pregnancy which is helpful to a human child
22 in utero, including avoidance of tobacco, alcohol and other drugs;
23 proper nutrition and prenatal vitamins; and utilization of and
24 resources available for prenatal medical and wellness care; and

1 6. Recommend to the State Department of Education
2 scientifically verifiable information concerning the unborn child in
3 the educational standards of science, family and consumer sciences
4 and health classes.

5 SECTION 4. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 1-754 of Title 63, unless there
7 is created a duplication in numbering, reads as follows:

8 Contingent on the availability of funds being appropriated by
9 the Legislature specifically for this purpose and pursuant to
10 Section 1-755 of Title 63 of the Oklahoma Statutes, the State
11 Department of Education, in collaboration with the State Department
12 of Health, shall establish an instructional program for students
13 consistent with the provisions of the Humanity of the Unborn Child
14 Act. Local school boards may choose to implement the instructional
15 program established by the State Department of Health and the State
16 Department of Education consistent with the provisions of the
17 Humanity of the Unborn Child Act. For school districts choosing to
18 implement the instructional program, the content of instruction used
19 by local schools to teach the humanity of the unborn child shall be
20 at the discretion of the local school board; provided, the
21 instructional program shall:

22 1. Provide accurate, scientifically verifiable information
23 concerning the probable anatomical and physiological characteristics
24 of the unborn child at two-week gestational intervals. The State

1 Department of Education may utilize as a resource the material
2 dealing with characteristics of the unborn child created pursuant to
3 Section 1-738.3 of Title 63 of the Oklahoma Statutes and as located
4 on the website www.awomansright.org under the link "Characteristics
5 of the Unborn Child";

6 2. Include information on accessing prenatal health care;
7 provided, no program or state employee may refer any student to a
8 medical facility or any provider for the performance of an abortion;

9 3. Include no component of human sexuality education other than
10 those included in science education standards; and

11 4. Comply with the provisions of the Parents' Bill of Rights,
12 Section 2001 et seq. of Title 25 of the Oklahoma Statutes.

13 SECTION 5. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 1-755 of Title 63, unless there
15 is created a duplication in numbering, reads as follows:

16 There is hereby created in the State Treasury a revolving fund
17 for the State Board of Education to be designated as the "Public
18 Education on the Humanity of the Unborn Child Fund". The fund shall
19 be a continuing fund, not subject to fiscal year limitations, and
20 shall consist of all monies deposited to the credit of the fund by
21 law. All monies accruing to the credit of said fund shall be
22 budgeted and expended by the Board for the establishment of the
23 instruction programs established in Section 4 of this act.
24 Expenditures from said fund shall be made upon warrants issued by

1 the State Treasurer against claims filed as prescribed by law with
2 the Director of the Office of Management and Enterprise Services for
3 approval and payment.

4 SECTION 6. This act shall become effective November 1, 2016.

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